

REMARKS/ARGUMENTS

In the Office Action dated October 5, 2005, claims 25 and 26 were rejected and claims 37-46 were allowed. Applicants have thoroughly reviewed the outstanding Office Action, including the Examiner's remarks and the reference cited therein. The above amendment of claims 25 and 26, along with the following remarks, is believe to be fully responsive to the Office Action. All of the pending claims at issue are believed to be patentable over the cited reference.

Claims 25 and 26 have been amended. Support for the subject matter incorporated into claims 25 and 26 could previous have been found throughout the specification and figures of the as-filed application, for example, in the second paragraph on page 4 of the specification. No new matter has been added. Claims 25-26 and 37-46 remain pending in the present application. Claims 25, 26 and 37 are independent claims.

Rejection of Claims 25 and 26 Under 35 U.S.C. §112, first paragraph:

Claims 25 and 26 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. More specifically, it is alleged that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Applicants respectfully submit that the above amendments made to claims 25 and 26 directly address the Examiner's comments and render the rejection thereof under 35 U.S.C. §112, first paragraph, moot. At least in view of the above claim amendments and remarks,

reconsideration and withdrawal of the rejection of claims 25 and 26 under 35 U.S.C. §112, first paragraph, is respectfully requested.

Rejection of Claims 25 and 26 Under 35 U.S.C. §102(e):

Claims 25 and 26 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,587,765 to Graham et al. (Graham '765). This rejection is respectfully traversed.

Graham '765 discloses, "a dual, top-mount control head 100 for controlling a marine vessel having a plurality of engines" (Column 5, lines 4-5). Graham '765 also discloses that, "it should be understood that the control head can be adapted to control any number of engines" (Column 5, lines 10-12).

Graham '765 further discloses that, "a single control head 12 can be operatively coupled to a plurality of transmissions 22 and engines 24 via a plurality of ECUs 16" (Column 7, lines 33-35). In addition, Graham '765 also discloses that, "a plurality of control heads 12 can be operatively coupled to a single transmission 22 and engine 24," and that, "[i]n such an embodiment, the plurality of control heads can be coupled to a single ECU 16" (Column 7, lines 36-39).

However, Graham '765 fails to disclose at least, "a third ECU communicatively coupled to the first and second ECUs," as recited in claims 25 and 26 of the present application. In other words, Graham '765 fails to disclose at least any coupling between the ECUs disclosed therein. In fact, as shown above, Graham '765 teaches away from the use of a third ECU by disclosing that a single ECU may be used.

At least in view of the foregoing remarks, Applicants respectfully submit that claims 25 and 26 recite subject matter which is not anticipated by Graham '765. Therefore, at least for this reason, reconsideration and withdrawal of the rejection of claims 25 and 26 under 35 U.S.C. §102(e) as being anticipated by Graham '765 is respectfully requested.

Allowable Subject Matter:

Claims 37-46 have been allowed. Applicants thank the Examiner for the time spent reviewing these claims and for acknowledging that these claims recite patentable subject matter.

CONCLUSION

At least in view of the above claim amendments and the foregoing remarks, Applicants respectfully request that all of the rejections to the claims be removed. If, for any reason, the Examiner disagrees, he is requested to call the undersigned Applicants' representative at 202-861-1716 in an effort to resolve any matter still outstanding before issuing another Office Action. The undersigned Applicants' representative is confident that any issue which might remain can readily be worked out by telephone.

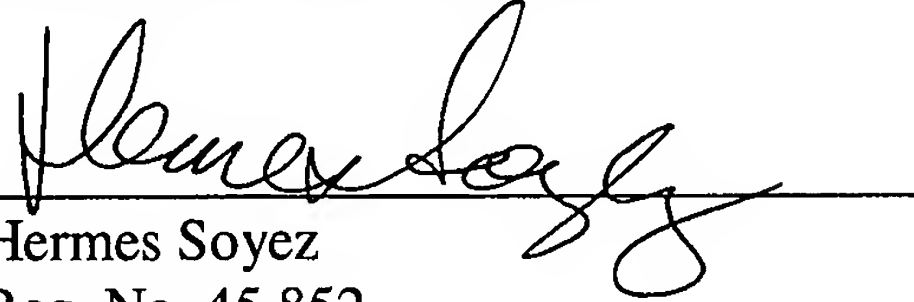
Docket No. 59764.21520
Serial No.: 10/610,691
Customer No. 30734

Patent

In the event this paper is not time filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 59764.21520.

Respectfully submitted,

BAKER & HOSTETLER LLP

A handwritten signature in black ink, appearing to read 'Hermes Soyez', is written over a horizontal line.

Hermes Soyez
Reg. No. 45,852

Date: January 5, 2006
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1716
Facsimile: 202-861-1783